

REMARKS

The title is amended to be descriptive of the invention. Claim 11 is amended to correct a grammatical error. No new matter is added.

In response to the Final Office Action mailed May 25, 2006, Applicants submit revised Rule 1.131 declarations. The declaration of Dr. DeRosier explicitly states that each element of each pending claim for which she was the inventor was conceived as early as November 1999 and prior to August 2000. A declaration of Mr. Thomas explicitly states that each element of each pending claim for which he was the inventor was conceived as early as November 1999 and prior to August 2000. Both declarations state that the invention was reduced to practice with the completion of a pre-release version of the 3C-SCAN software in August, 2000, incorporating all claimed functionality. Accordingly, the invention was conceived and reduced to practice prior to the date of the Sherman reference.

As Mr. Thomas's declaration states, original files from the software development effort do not exist. The only documentary evidence of the chronology of software development is the screenshots of directory listings in Exhibit 1 to Mr. Thomas's declaration. As explained in Mr. Thomas's declaration, this evidence shows that coding for the fully releasable version 1.0 of the software was complete by October 11, 2000. Accordingly, even if Dr. DeRosier's and Mr. Thomas's declarations are disregarded, the objective evidence demonstrates that the invention was reduced to practice by October 11, 2000, prior to the date of the Sherman reference.

The Sherman reference is thus removed as prior art. Applicants' response dated April 4, 2006, incorporated herein by reference, demonstrates that the SociometryPlus 2.0b reference does not teach or suggest the claimed limitations. Accordingly, all pending claims are patentably nonobvious over the art of record, and prompt allowance of all pending claims is hereby respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Edward H. Green, III", written over a horizontal line.

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